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AMERICA, INC.  
6

7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
9

10 SUSAN KIELY KRAUSS, an individual

11 Plaintiff,

12 vs.

13 VOLKSWAGEN OF AMERICA, INC., a  
14 Delaware Corporation,

15 Defendant.  
16

CASE NO. C04-02989 PJH

**STIPULATION AND ~~[PROPOSED]~~ ORDER  
TO CONTINUE CASE MANAGEMENT  
CONFERENCE**

1 Plaintiff Susan Kiely Krauss ("Plaintiff") and defendant Volkswagen of America,  
2 Inc. ("Defendant"), through their respective counsel, hereby stipulate to continue the Case  
3 Management Conference, currently scheduled for September 1, 2005, as follows:  
4

5 **STIPULATION**

6 IT IS HEREBY STIPULATED by, between and among Plaintiff, on the one hand, and the  
7 Defendant, on the other hand, through their respective attorneys, as follows:

8 WHEREAS a Case Management Conference is currently calendared for September 1,  
9 2005;

10 WHEREAS the Parties have reached a tentative settlement, and postponement of the  
11 aforementioned conference will allow the Parties time to fully document and finalize the tentative  
12 settlement;

13 WHEREAS good cause exists for the requested order because allowing time for the  
14 parties to conduct settlement negotiations will save the parties time, effort, and expense, and will  
15 further conserve judicial resources;

16 NOW THEREFORE it is stipulated by and between the Parties, through their  
17 respective counsel of record, as follows:

18 The Case Management Conference shall be continued from September 1, 2005 to November  
19 1, 2005, or as soon thereafter as is convenient for the Court.  
20

21 IT IS SO STIPULATED.

22 DATED: August 23, 2005

JEFFER, MANGELS, BUTLER & MARMARO LLP  
R. SCOTT BRINK  
BARBRA A ARNOLD

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25 BY: \_\_\_\_\_/S/  
26 R. SCOTT BRINK  
27 ATTORNEYS FOR DEFENDANT VOLKSWAGEN  
28 OF AMERICA, INC.

1 DATED: August 23, 2005

O'KEEFE & O'KEEFE LLP  
GARET D. O'KEEFE

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4 BY: \_\_\_\_\_/S/\_\_\_\_\_  
5 GARET D. O'KEEFE  
6 ATTORNEYS FOR PLAINTIFF SUSAN KIELY  
7 KRAUSS  
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**[PROPOSED] ORDER**

Good cause having been shown by the foregoing Stipulation of the parties,

IT IS HEREBY ORDERED that the Case Management Conference be continued from September 1,  
November 3, 2005  
2005 to ~~November 1, 2005~~.

**IT IS SO ORDERED.**

Dated: 8/25/05

  
\_\_\_\_\_  
Honorable Phyllis J. Hamilton  
UNITED STATES DISTRICT COURT JUDGE

**ATTESTATION**

I hereby attest that the content of this document is acceptable to all persons required to sign the document, and that I have on file all required holograph signatures for any signatures indicated by a "conformed" signature within this efiled document.

/s/  
Garet D. O'Keefe

**PROOF OF SERVICE****STATE OF CALIFORNIA, CITY AND COUNTY OF LOS ANGELES**

I am employed in the City and County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 1900 Avenue of the Stars, 7<sup>th</sup> Floor, Los Angeles, California 90067.

On August 23, 2005 I served the document(s) described as **STIPULATION AND [PROPOSED] ORDER TO CONTINUE CASE MANAGEMENT CONFERENCE** in this action by placing the true copies thereof enclosed in sealed envelopes addressed as follows:

Garet D. O'Keefe Esq.  
**O'Keefe & O'Keefe LLP**  
 1341 Francisco Street  
 Berkeley, CA 94702

☒ (BY MAIL) I am "readily familiar" with the firm's practice for collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ (BY FAX) At \_\_\_\_\_, I transmitted, pursuant to Rules 2001 et seq., the above-described document by facsimile machine (which complied with Rule 2003(3)), to the above-listed fax number(s). The transmission originated from facsimile phone number (310) 203-0567 and was reported as complete and without error. The facsimile machine properly issued a transmission report, a copy of which is attached hereto.

☐ (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

☐ (BY OVERNIGHT DELIVERY) I caused said envelope(s) to be delivered overnight via an overnight delivery service in lieu of delivery by mail to the addressee(s).

Executed on August 23, 2005 at Los Angeles, California.

☐ (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

\_\_\_\_\_  
 Tanisha Abrams